



**CITY COUNCIL
CITY OF PRAIRIE VILLAGE
SEPTEMBER 3, 2019**

The City Council of Prairie Village, Kansas, met in regular session on Tuesday, September 3, 2019, at 6:00 p.m. in the Council Chambers at the Municipal Building, 7700 Mission Road, Prairie Village, Kansas. Mayor Mikkelson presided.

ROLL CALL

Roll was called by the City Clerk with the following Council Members in attendance: Chad Herring, Jori Nelson, Serena Schermoly, Ron Nelson, Tucker Poling, Andrew Wang, Sheila Myers, Brooke Morehead, Dan Runion, Courtney McFadden, Ted Odell and Terrence Gallagher. Staff present: Captain Ivan Washington, Prairie Village Police Department; Keith Bredehoeft, Public Works; City Attorney David Waters, attorney with Lathrop & Gage; Wes Jordan, City Administrator; Jamie Robichaud, Deputy City Administrator; Alley Porter, Assistant City Administrator; Lisa Santa Maria, Finance Director; Adam Geffert, City Clerk.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Mr. Gallagher made a motion to approve the agenda for September 3, 2019. Mrs. Myers seconded the motion, which passed unanimously.

INTRODUCTION OF STUDENTS & SCOUTS

No students or scouts were in attendance.

PRESENTATIONS

- Jamie Arnold, owner of Glass Bandits, provided a presentation on the company's curbside glass recycling program. The Environmental Committee recently proposed launching a pilot program for a small group of residents in the City.
- Meredith McAllister, owner of Compost Collective KC, provided information about the company's curbside composting services, and presented a similar plan for a pilot program.

Mayor Mikkelson suggested that further discussion about the programs take place at an upcoming Council Committee of the Whole meeting. Councilmembers asked that the pilot program be made available to residents in all wards.



PUBLIC PARTICIPATION

- George T. Daimler, 4529 W. 65th Street, shared his opposition to the proposed UAV Ordinance, stating that he did not believe the City had the authority to restrict usage as proposed.
- Inga Selders, 4600 Tomahawk Road, stated that she was in support of the UAV Ordinance in order to protect the safety and privacy of City residents.
- Whitney Wilson, 6737 Granada Lane, noted that she was a candidate for the Water District #1 Board, and supported recycling and composting efforts to address climate change.

CONSENT AGENDA

Mayor Mikkelson asked if there were any items to remove from the consent agenda for discussion:

1. Approval of regular City Council meeting minutes - August 19, 2019
2. Approval of Expenditure Ordinance #2981
3. Approval of sidewalk installation on Belinder Road from 73rd Street to 75th Street

Ms. Nelson made a motion to approve the consent agenda as presented.

A roll call vote was taken with the following votes cast: “aye”: Herring, J. Nelson, Schermoly, R. Nelson, Poling, Wang, Myers, Morehead, Runion, McFadden, Odell, Gallagher.

COMMITTEE REPORTS

- Mrs. Myers stated that three proposals had been received for the civic center survey. The selection committee will interview two candidates by phone on Monday, September 9. She added that the Tree Board Fall Seminar would be held on October 2.
- Ms. Nelson shared that the Environmental Committee was continuing to research the use of single-use plastics as well as pesticides and herbicides in the City. She added that Teen Council applications were due September 13.
- Mrs. Schermoly stated that the 10th annual JazzFest event would be held on September 7.
- Mrs. Morehead noted that the second “Chamber in the Chambers” music series concert would take place on September 20.



MAYOR'S REPORT

Mayor Mikkelson reported the following:

- The Mayor attended an event regarding KC Rising, a regional economic and community development initiative.
- The Mayor attended a lecture by Bruce Stephenson, an urban planning expert originally from Prairie Village.
- Village Vision 2.0 community workshops will be held on September 9 and 12 at the Meadowbrook Park clubhouse.
- An informational meeting to discuss proposed zoning regulation updates will take place on September 17.
- A meeting to discuss the new skate park will be held on September 19.
- The Mayor attended a reception for Marcia Jacobs, who retired after 30 years on the Consolidated Fire District #2 Board. She was also a Prairie Village City Council member and Municipal Foundation member.
- Northeast Johnson County mayors will continue to discuss power outage concerns with KCP&L at upcoming meetings.
- The Mayor and City Administrator will meet with newly elected Mayor Quinton Lucas of Kansas City, Mo., to discuss shared concerns.
- The Mayor will meet with David Warm, Director of MARC, to discuss regional cooperation on housing, transit, environmental and other initiatives.

STAFF REPORTS

Public Safety

- Captain Ivan Washington reported that a 10-week Police Citizens Academy would begin on September 18. He added that the next Coffee with a Cop event would take place at the Village Starbucks on October 2.

Public Works

- Keith Bredehoeft stated that new asphalt had begun to be installed on Roe Avenue between 63rd Street and 67th Street. The project should be completed in the near future. He added that the Delmar-Fontana project would be nearly complete in the fall, with some minor restoration work finishing up in the spring of 2020.

Ms. Nelson asked when Wassmer Park would open to the public. Mr. Bredehoeft stated that there was not a target date set, but an opening date of middle to late October was expected. Mr. Herring added that preparations are underway to plan a dedication event at the park.

Administration

- Jamie Robichaud stated that an informational session to discuss proposed zoning regulation updates would be held on September 17. A public hearing will be held at the October 1 Planning Commission meeting; after that, the regulations will come



to City Council for final approval at its November 4th meeting, after a 14 day protest period ends.

- Wes Jordan shared that the September Plan of Action was included in the meeting packet, and noted that large number of projects during the month of September.

OLD BUSINESS

There was no old business to come before the Council.

NEW BUSINESS

COU2019-40 Approval of Resolution 2019-13 and Ordinance 2405, regarding updated terms of office for elected officials

Mr. Waters stated that the proposed Resolution and Ordinance were based on discussion at the Council Committee of the Whole meeting on August 19. At that meeting, the Committee voted to begin the 2020 term at the first meeting in January, and in subsequent years, the first meeting in December. Mr. Waters added that, by state statute, these dates must be set by Resolution, but by City Code, an Ordinance is required.

Mr. Gallagher moved the City Council approve Resolution 2019-13 as presented. Mr. Poling seconded the motion, which passed unanimously.

Mr. Gallagher moved the City Council approve Ordinance 2405 as presented. Mr. Nelson seconded the motion.

A roll call vote was taken with the following votes cast: “aye”: Herring, J. Nelson, Schermoly, R. Nelson, Poling, Wang, Myers, Morehead, Runion, McFadden, Odell, Gallagher.

COU2019-41 Approval of Ordinance 2406 regulating the use of Unmanned Aerial Vehicles (UAVs)

Mr. Waters stated that legal counsel had considered all previous case law on the use of UAVs, also known as drones, when developing the Ordinance. Prior rulings indicate that cities do have some authority to regulate recreational drone use, specifically in relation to health, safety and privacy concerns. Commercial drone use is regulated entirely by the Federal Aviation Administration (FAA). Mr. Waters added that, as federal laws change regarding the use of recreational drones, the Ordinance could be updated.

Mayor Mikkelson said that the proposed regulations are not as restrictive as those that were struck down in other cities, and that the Ordinance was tailored to meet FAA guidelines.



Robert Lambrechts, attorney with Lathrop and Gage, noted that the City of Chicago began restricting drone operations in 2015. The City's regulations prohibit flight over any person not involved in the operation of the drone, or over property the operator does not own. The law had not yet been challenged.

Mr. Wang, Mrs. Schermoly and Mr. Nelson shared their opposition to the Ordinance.

Mr. Poling moved the City Council approve the Ordinance as presented. The motion was seconded by Ms. Nelson.

A roll call vote was taken with the following votes cast: "aye": Herring, J. Nelson, Poling, Myers, Runion, Odell, Gallagher. The motion passed by a vote of 7-5.

Mrs. Morehead made a motion that the City Council move to the Council Committee of the Whole portion of the meeting in order to consider a new agenda item. The motion was seconded by Mr. Nelson and passed unanimously.

COUNCIL COMMITTEE OF THE WHOLE

Mrs. Morehead stated her concern regarding a residence that had numerous on-going code violations which was recently sold. She asked whether the new owner would be required to address the violations immediately because they had been an issue for a lengthy period of time.

Mrs. Robichaud stated the previous owner of the property had been tied up in Municipal Court for several years. The property was then in probate for over a year before it was recently sold at auction. She added that the City is required by law to provide a certain number of notices about code violations to a property owner before beginning abatement, and that it is generally more effective to work with owners rather than issuing citations, which can slow the process even further.

Mr. Waters said that there are nuisance abatement statutes in state law that can order a property to be abated. However, there are no references to how a change in ownership would affect the abatement timeline in the statutes. He added that this case might be part of a broader discussion of when the City should take steps for long-term code violations. Mr. Gallagher suggested that a more formal discussion be held at a future Committee meeting.

New Business

There was no new business to come before the Council Committee of the Whole.

Mr. Runion moved that the City Council end the Council Committee of the Whole portion of the meeting. Mr. Nelson seconded the motion, which passed unanimously.



ANNOUNCEMENTS

Announcements were included in the Council packet.

ADJOURNMENT

With no further business to come before the City Council, Mayor Mikkelson declared the meeting adjourned at 7:54 p.m.

Adam Geffert
City Clerk